

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GEORGE K. PRAGOVICH

Plaintiff,

v.

INTERNAL REVENUE SERVICE, AGENT
#36-09437 JOSEPH CONROY AND
GROUP MANAGER #43-15016 SAM
ANDERSON,

Defendants.

Case No. MC08-5010RBL/JKA

ORDER TO RESPOND

This motion to quash third party subpoenas has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). The action was originally filed in this court on May 5, 2008, (Dkt. # 1). The case was referred to this Magistrate Judge on May 20, 2008, (Dkt. # 5). On June 16, 2008, the defendants appeared (Dkt # 6). No response to the motion to quash subpoenas has been filed.

The government bears the initial burden of proving the subpoenas are issued for a valid purpose. Kondik v U.S., 81 F3d. 655 (6th Cir. 1996). A response is mandated to make this showing. Further, under Local Rule 7, failure to respond to a motion may be deemed as an admission the motion has merit.

The defendants will have until **July 11, 2008** to file a response. Any reply plaintiff wishes to file must be filed on or before **July 18, 2008**. This matter will be placed before the court on the **July 18, 2008**,

1 court calendar. Given the amount of time that has passed since the filing of the motion the court will be
2 disinclined to grant continuances of time in this matter.

3 The Clerk is directed to send a copy of this Order to plaintiff and counsel for defendants
4 and note the date of **July 18, 2008**, on the court's calendar.

5 DATED this 3 day of July, 2008.

6 /S/ J. Kelley Arnold
7 J. Kelley Arnold
8 United States Magistrate Judge
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